

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,066	04/14/2004	Peter Schwarz	2322.70253

CONFIRMATION NO. 6070

24978  
GREER, BURNS & CRAIN  
300 S WACKER DR  
25TH FLOOR  
CHICAGO, IL 60606

## FORMALITIES LETTER



\*OC000000013058970\*

Adjustment date: 07/29/2004 DTESSEM1  
07/27/2004 DTESSEM1 00000083 072069 10824066  
03 FC:2051 -65.00-OP  
04 FC:1053 -65.00-OP

Date Mailed: 06/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/27/2004 DTESSEM1 00000083 072069 10824066

01 FC:2001	385.00 OP
02 FC:2202	81.00 OP
03 FC:2051	65.00 OP
04 FC:1053	65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1030 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

07/29/2004 DTESSEM1 00000052 10824066

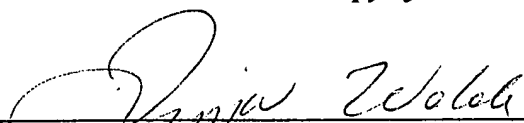
01 FC:1053 130.00 OP

04 JUN 29 2004 9:46

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Art Unit: 2859

Applicant: Peter Schwarz

Examiner: Unassigned

Serial No.: 10/824,066

Filed: April 14, 2004

For: DEVICE AND METHOD FOR THE  
DETERMINATION OF SURFACE PROPERTIES

Conf. No. 6070

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

7/21/04 *Lawrence J. Crain*  
Date Attorney for Applicant  
Registration No. 31,497

**COMPLETION OF FILING REQUIREMENTS**

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Fee Calculation For Claims As Filed

a) Basic Fee						\$ 770.00
b) Independent Claims	<u>2</u>	-	3	=	<u>0</u>	x \$ 86.00 = \$ <u>          </u>
c) Total Claims	<u>29</u>	-	20	=	<u>9</u>	x \$ 18.00 = \$ <u>162.00</u>
d) Fee for Multiple Dependent Claims						\$ 290.00 = \$ <u>          </u>

Total Filing Fee \$ 932.00(X) Applicant(s) qualifies as a Small Entity, reducing Filing Fee by half to \$ 466.00

Transmitted herewith in response to the Office letter dated June 24, 2004 are:

- ( ) Executed Declaration and Power of Attorney for this application and a check for \$65.00 (Small Entity, Surcharge) is enclosed.
- (X) Filing fee for this application. A check in the amount of \$ 466.00 is enclosed.
- (X) English Translation of application w/Executed Verification Statement and check for \$130.00 is enclosed.
- (X) Preliminary Amendment.
- (X) Executed Substitute Declaration and Power of Attorney w/letter to PTO.
- (X) Claim for Priority Transmittal w/Certified Priority Document.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

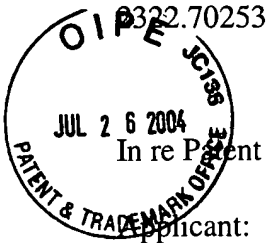
July 21, 2004

GREER, BURNS &amp; CRAIN, LTD.

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By

*Lawrence J. Crain*  
Lawrence J. Crain  
Registration No. 31,497



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Applicant: Peter Schwarz

Serial No.: 10/824,066

Filed: April 14, 2004

For: DEVICE AND METHOD FOR THE  
DETERMINATION OF SURFACE  
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Conf. No. 6070

Art Unit: 2859

Examiner: Unassigned

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) United States Postal Service First-Class Mail in an envelope  
) addressed to: Mail Stop Missing Parts, Commissioner for  
) Patent, P.O. Box 1450, Alexandria, VA, 22313-1450, on:

) 7/21/04 Lawrence J. Crain  
) DATE Attorney for Applicant  
) Registration No. 31,497

TRANSMITTAL OF SUBSTITUTE DECLARATION AND POWER OF ATTORNEY

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

In response to the Notice to File Missing Parts of NonProvisional Application mailed on June 24, 2004, Applicant submits a Substitute Declaration and Power of Attorney form. The initial executed Declaration and Power of Attorney form filed with the application on April 14, 2004 inadvertently had the incorrect postal address for the inventor. The Substitute Declaration and Power of Attorney form reflects the correct postal code of 82549.

Respectfully submitted,  
GREER, BURNS & CRAIN, LTD.

By

Lawrence J. Crain  
Lawrence J. Crain  
Registration No. 31,497

July 21, 2004

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